

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re  
Alexander E. Jones,  
Debtor

David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos M. Soto, Jillian Soto Marino, William Aldenberg, William Sherlach, Robert Parker, and Richard M. Coan, as chapter 7 trustee for the estate of Erica Lafferty,

Plaintiffs

v.  
Alexander E. Jones,  
Defendant

Bankruptcy  
Case No. 22-33553 (CML)  
Chapter 11

Adv. Pro. No. 23-03037 (CML)

**CONNECTICUT PLAINTIFFS' UNOPPOSED EMERGENCY MOTION  
FOR AN ORDER TO EXTEND DEADLINE TO FILE REPLY**

**This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.**

**Represented parties should act through their attorney.**

**Emergency relief has been requested. If the Court considers the motion on an emergency basis, then you will have less than 21 days to answer. If you object to the requested relief or if you believe that the emergency consideration is not warranted, you should file an immediate response.**

**Relief is requested on or before July 7, 2023.**

The Connecticut Plaintiffs,<sup>1</sup> by and through their undersigned counsel, hereby file this emergency motion (the “Emergency Motion”) and respectfully request that the Court, for good cause shown, extend the Connecticut Plaintiffs’ deadline to file a reply in further support of their *Motion for Summary Judgment* against Defendant Alexander E. Jones (Doc. No. 57) and in response to Defendant’s *Objections and Responses to Movants’ Statement of Uncontested Material Facts and Summary Judgment Evidence* (Doc. No. 61).

On April 13, 2023, this Court entered the *Parties’ Stipulation and Agreed Order Regarding the Dismissal of FSS from the Jones Adversary Proceedings and Schedule for the Answer and Summary Judgment Briefing Plaintiffs’ Complaint* (the “Scheduling Order”)<sup>2</sup> (Doc. No. 40). The Scheduling Order set July 7, 2023, as the date that the Connecticut Plaintiffs and Texas Plaintiffs<sup>3</sup> shall file their summary judgment replies in the Jones Adversary Proceedings. The Court may extend the time for the Connecticut Plaintiffs’ reply answer deadline. Fed. R. Civ. P. 16(b)(1)(A).

The Connecticut and Texas Plaintiffs have conferred with the Debtor, who does not oppose the relief requested in this Emergency Motion.

WHEREFORE, Connecticut Plaintiffs respectfully request the Court enter an Order by tomorrow, July 7, 2023, that modifies Connecticut Plaintiffs’ deadline to file their summary judgment reply from July 7, 2023 to July 14, 2023, and for such other and further relief as it deems just and proper.

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<sup>1</sup> The “Connecticut Plaintiffs” are Mark Barden, Jacqueline Barden, Francine Wheeler, David Wheeler, Ian Hockley, Nicole Hockley, Jennifer Hensel, William Aldenberg, William Sherlach, Carlos M. Soto, Donna Soto, Jillian Soto-Marino, Carlee Soto Parisi, Robert Parker, and Richard M. Coan, as chapter 7 trustee for the estate of Erica Lafferty.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Scheduling Order.

<sup>3</sup> The “Texas Plaintiffs” are seeking substantially similar relief by separate motion. The Texas Plaintiffs are Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and the Estate of Marcel Fontaine.

Dated: July 6, 2023

Respectfully submitted,

*/s/ Ryan E. Chapple*

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*Counsel to Richard M. Coan, as chapter 7*

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**CERTIFICATE OF CONFERENCE**

The undersigned certifies that prior to filing this Emergency Motion a conference was held with Debtor's Counsel via email on June 30, 2023, at which time counsel confirmed that the Debtor is unopposed to the relief sought in this Emergency Motion.

/s/ Ryan E. Chapple  
Ryan E. Chapple

**CERTIFICATE OF ACCURACY**

I hereby certify that the foregoing statements are true and accurate to the best of my knowledge and belief. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

/s/ Ryan E. Chapple  
Ryan E. Chapple

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6th day of July 2023, a true and correct copy of the foregoing was served via the Court's ECF system to the parties registered to receive electronic service.

/s/ Ryan E. Chapple  
Ryan E. Chapple